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6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA, )

9 Plaintiff, )

10 v. )

2:12-CR-0073-JCM-(CWH)

11 MICHAEL LOFTON, )

12 Defendant. )

13 PRELIMINARY ORDER OF FORFEITURE

14 This Court finds that on January 23, 2014, defendant MICHAEL LOFTON pled guilty to a  
15 One-Count Criminal Information charging him with Aggravated Identity Theft in violation of Title 18,  
16 United States Code, Sections 1028A(a)(1) and (c)(4); and 1029(a)(2). Criminal Information, ECF No.  
17 \_\_\_\_; Plea Agreement, ECF No. \_\_\_\_; Change of Plea Minutes, ECF No. \_\_\_\_.

18 This Court finds defendant MICHAEL LOFTON agreed to the forfeiture of the property set  
19 forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Information. Criminal  
20 Information, ECF No. \_\_\_\_; Plea Agreement, ECF No. \_\_\_\_; Change of Plea Minutes, ECF No. \_\_\_\_.

21 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of  
22 America has shown the requisite nexus between property set forth in the Plea Agreement and the  
23 Forfeiture Allegation of the Criminal Information and the offense to which defendant MICHAEL  
24 LOFTON pled guilty.

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26 ...

1 The following assets are subject to forfeiture pursuant to Title 18, United States Code,  
2 Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c); Title 18, United States  
3 Code, Section 982(a)(2)(A); and Title 18, United States Code, Section 1029(c)(1)(C) and (c)(2):

- 4 1) a Kindle Fire HD, new in box, no visible serial number, seized from  
5 Michael Lofton on January 7, 2013;
- 6 2) an Apple iPad with docking station and case, new in box, no visible serial  
7 number, seized from Michael Lofton on January 31, 2013; and
- 8 3) a Sony USB drive, seized from Michael Lofton on February 1, 2013  
9 (all of which constitutes "property").

10 This Court finds the United States of America is now entitled to, and should, reduce the  
11 aforementioned property to the possession of the United States of America.

12 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
13 United States of America should seize the aforementioned property.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
15 MICHAEL LOFTON in the aforementioned property is forfeited and is vested in the United States  
16 of America and shall be safely held by the United States of America until further order of the Court.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
18 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
19 website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state  
20 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state  
21 the name and contact information for the government attorney to be served with the petition,  
22 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity  
24 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate  
25 the validity of the petitioner's alleged interest in the property, which petition shall be signed by the  
26 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and

1 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the  
2 petitioner's right, title, or interest in the forfeited property and any additional facts supporting the  
3 petitioner's petition and the relief sought.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be  
5 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no  
6 later than thirty (30) days after the notice is sent or, if direct notice was not sent, no later than sixty  
7 (60) days after the first day of the publication on the official internet government forfeiture site,  
8 [www.forfeiture.gov](http://www.forfeiture.gov).

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
10 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the  
11 following address at the time of filing:

12 Daniel D. Hollingsworth  
13 Assistant United States Attorney  
14 Lloyd D. George United States Courthouse  
333 Las Vegas Boulevard South, Suite 5000  
Las Vegas, Nevada 89101

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
16 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
17 following publication of notice of seizure and intent to administratively forfeit the above-described  
18 property.

19 DATED this 23rd day of Dec, 2014.

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22 UNITED STATES DISTRICT JUDGE  
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